

**United States District Court, Northern District of Illinois**

<b>Name of Assigned Judge or Magistrate Judge</b>	Joan B. Gottschall	<b>Sitting Judge if Other than Assigned Judge</b>	
<b>CASE NUMBER</b>	08 C 3661	<b>DATE</b>	August 26, 2008
<b>CASE TITLE</b>	Detertoring Sanders (B58742) v. Chicago Police Dept. et al.		

**DOCKET ENTRY TEXT:**

Upon the Court's own motion, plaintiff Detertoring Sanders ("Sanders") is granted an additional 30 days from the date of this order to file an amended complaint.

■ [For further details see text below.]

Docketing to mail notices.

**STATEMENT**

Upon reviewing Sanders' complaint, the court is unable to discern the precise nature of his claim. If Sanders' claim is that he is being unlawfully detained in violation of his constitutional rights, his proper course of action is to file a petition for a writ of habeas corpus. If he claims that the conditions of his imprisonment violate his civil rights under 42 U.S.C. § 1983, he must clearly articulate those claims in his complaint. If, however, he is contesting his conviction, a federal court is not the appropriate venue for such a complaint.

The amended complaint must be on the forms required under Local Rule 81.1 of this Court. The Clerk is directed to send Plaintiff one copy of the civil rights complaint form, instructions for filing, a copy of this order, and a copy of the Court's order of July 1, 2008 [5].

The amended complaint replaces or supercedes the original complaint. In other words, after Plaintiff files an amended complaint, the Court no longer considers the original complaint. Thus, allegations or claims contained in the original complaint will not be considered if they are not included in the amended complaint. Similarly, if a defendant in the original complaint is not named as a defendant in the amended complaint, the Court will treat that defendant as dropped from the suit. Therefore, Plaintiff must make sure to list all of his defendants in the caption on the first page of the complaint. He must also include in his amended complaint all allegations he wants the Court to consider.

RJ/JJD/JGN